

Docket 25980

Appendix E

Hayneville Fiber Transport, Inc. d/b/a

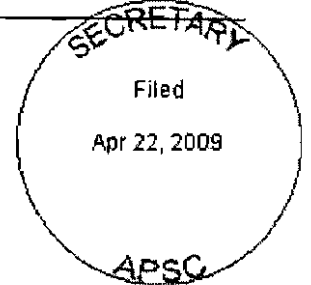
Post Office Box 129  
180 Greenville Bypass  
Greenville, AL 36037

**Camellia**  
**COMMUNICATIONS**

*Local Service, Long Distance, Internet/DSL*

Greenville: 334-371-3000  
Fort Deposit: 334-404-4000  
Fax: 334-371-3001

April 9, 2009



**VIA HAND DELIVERY**

Honorable Walter L. Thomas, Jr., Secretary  
Alabama Public Service Commission  
RSA Union Building  
100 North Union Street  
Montgomery, AL 36104

**RE: APSC Certification of Eligibility to Receive High Cost Support  
Pursuant to 47 C.F.R. §54.314; APSC Docket 25980.**

Dear Mr. Thomas:

In conjunction with the Alabama Public Service Commission's (the "Commission") annual certification requirements, please find attached hereto for electronic filing Hayneville Fiber Transport, Inc. d/b/a Camellia Communications' (the "Company") certification that it is eligible to continue to receive federal high cost support for high-cost universal service support. The original and one copy will be delivered to the Commission. If any additional information is required, please contact me at (334) 548-2101.

Very truly yours,

Evelyn P. Causey  
Chief Financial Officer

Enclosure

## CERTIFICATION


In its December 20, 2001 and September 29, 2008 Orders in APSC Docket 25980, this Commission determined that it could best meet its monitoring and certification obligations by requiring the "rural LEC Cost Companies" to file with the Commission a copy of their supporting annual interstate cost separation study, annual USF-HCLS filing and estimated USF-LSS filing for review and each of the "rural LEC Average Schedule Companies" to file with the Commission a copy of NECA's proposed annual USF-HCLS and USF-LSS amounts for review. Pursuant to the Order, the Company has previously provided the Commission with a copy of its most recent annual interstate cost separation study, annual 2009 USF-HCLS, and estimated 2009 USF-LSS filings.

The Company further certifies that it will only use the federal high-cost support it receives during 2009-2010 for the continued provision, maintenance and upgrading of facilities and service for which such support is intended as described in 47 C.F.R. § 54.101. Those services, which are available to any customer in the Company's service area are: single-party voice grade access to the public switched network, unlimited local usage, dual-tone multi-frequency signaling or its functional equivalent, access to emergency services, including 9-1-1 service or enhanced 9-1-1 service, access to operator service, access to interexchange service, and access to directory assistance, and toll limitation for qualifying low-income customers.

The Company respectfully requests that the Commission notify the FCC prior to October 1 of this year that the Company is eligible to receive federal high-cost support in 2010. Any questions regarding this submission or the underlying documentation previously submitted to the Commission should be directed to Evelyn Causey at (334) 548-2101.

Respectfully Submitted,

HAYNEVILLE FIBER TRANSPORT,  
INC. D/B/A  
CAMELLIACOMMUNICATIONS

By:   
Evelyn P. Causey  
As Its: Chief Financial Officer  
Date: 4/9/09

# Budget PrePay<sup>INC</sup>

.....telecommunications :: clear :: simple

August 12 2009



Via Federal Express

Walter L. Thomas, Jr. Secretary  
Alabama Public Service Commission  
RSA Union Bldg, Suite 850  
100 North Union St  
Montgomery, AL 36104

RE: Docket No: 25980 Self-Certification of Eligibility of Budget PrePay, Inc. to receive Federal Universal Service Funds in Study area Code 259009 for the First through Fourth Quarters of 2010. 47 CFR 54.314: 47 USC 254(e).

Dear Mr. Thomas,

Pursuant to 47 CFR 54.314, state commissions must file an annual certification with the Federal Communications Commission ("FCC") and the Universal Service Administrative Company ("USAC") stating that all federal high-cost support provided to rural incumbent local exchange carriers and/or eligible telecommunications carriers has been used only for the provision, maintenance, and upgrading of facilities and services for which the support beginning January 1 of each year, the Commission must file its annual certification on or before October 1 of the year before.

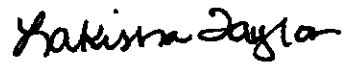
In accordance with 47 CFR 54.314, this letter is to request that the Alabama Public Service Commission ("Commission") file a certification with the FCC and USAC, stating that all federal high-cost support provided to Budget PrePay, Inc. has been used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

In support of this request, attached hereto as "Attachment 1" is an affidavit, executed by an officer of Budget PrePay, Inc. attesting that the federal high-cost support to Budget PrePay, Inc. has been used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

FedEx

In order for Budget PrePay, Inc. to receive support for the first, second, third, and fourth quarters of 2010, Budget PrePay, Inc. respectfully requests that the Commission notify the FCC and USAC no later than October 1, 2009, that all federal high-cost support to Budget PrePay, Inc. has been used only for the provision, maintenance, and upgrading of facilities and services for with the support is intended.

Sincerely,

A handwritten signature in black ink, appearing to read "Lakisha Taylor". The signature is fluid and cursive, with the first name being more prominent.

Lakisha Taylor  
Budget PrePay, Inc.

AFFIDAVIT

STATE OF LOUISIANA

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ss:

PARISH OF BOSSIER

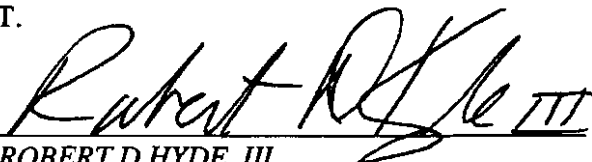
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BEFORE ME, the undersigned authority appeared ROBERT D HYDE, III, who deposed and stated:

1. My name is ROBERT D HYDE, III. I am employed by BUDGET PREPAY, INC as its VICE PRESIDENT. I am an officer of BUDGET PPREPAY, INC and am authorized to give this affidavit on behalf of BUDGET PREPAY, INC. This affidavit is being given to support the Florida Public Service Commission's certification as required by 47 CFR 54.314.

2. BUDGET PPREPAY, INC hereby certifies that it has used all federal high-cost support it has received have been used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended pursuant to Section 254(e) of the Telecommunications Act of 1996.

FURTHER AFFIANT SAYETH NOT.

  
ROBERT D HYDE, III  
V. P., BUDGET PREPAY, INC

Subscribed and sworn to before me this 12 day of August 2009.

  
\_\_\_\_\_  
NOTARY REPUBLIC

My Commission Expires:  
(Notary Seal)

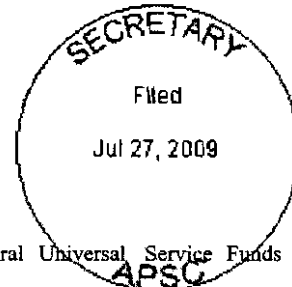
PATRICK D. NIX  
NOTARY PUBLIC, #35044  
CADD0 PARISH LOUISIANA  
My Commission is for Life

## **NEXUS COMMUNICATIONS, INC.**

3629 Cleveland Ave., Suite C  
P.O. Box 247168  
Columbus, OH 43224  
740-549-1092  
740-548-1173 Fax

July 24, 2009

Hon. Walter L. Thomas, Secretary  
Alabama Public Service Commission  
RSA Union Building, Suite 850  
100 North Union Street  
Montgomery, AL 36130



Re: Docket No. 25980 Certification of Eligibility of TSINexus, Inc. to Receive Federal Universal Service Funds in Study Area 259909 for the First through Fourth Quarters of 2010.

**Dear Mr. Thomas:**

TSINexus, Inc. ("Nexus" and the "Company") hereby provides for filing the attached letter certifying continued eligibility by the Company to receive federal high cost universal service support in the first, second, third, and fourth quarters of 2010 ("Letter"). As demonstrated in the Letter, the Company is in compliance with Section 254(e) of the Communications Act of 1934, as amended, and the relevant rules and regulations of the Federal Communications Commission ("FCC"). The Letter also contains information regarding the amount and allocation of support received in fiscal year 2008.

The Certification was filed electronically on July 24, 2009. As required, an original and one (1) copy of the Letter are provided with this filing. In addition an additional "Stamp and Return" copy is being provided. Please indicate the date and time of filing on the enclosed "stamp and return" copy and forward the copy to my attention using the enclosed self addressed stamped envelope.

**Please forward any correspondence regarding this matter to the undersigned.**

Respectfully,

A handwritten signature in black ink, appearing to read "R M" followed by a horizontal line.

Ronald Muon, Jr.  
Consultant to TSINexus, Inc.

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<sup>1</sup> See 47 V.S.C. § 254(e); *In the matter of Federal-State Joint Board on Universal Service*, CC Docket Nos. 96-45,00-256, Fourteenth Report and Order, Twenty-Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No. 96-45 and Report and Order in CC Docket No. 00-256, FCC 01-157 (released May 23, 2001) and codified at 47 C.F.R. § 54.314.

# ***NEXUS COMMUNICATIONS, INC.***

3629 Cleveland Ave., Suite C  
P.O. Box 247168  
Columbus, OR 97224  
740-549-1092  
740-548-1173 Fax

**July 24, 2009**

Walter L. Thomas, Secretary  
Alabama Public Service Commission  
100 North Union Street  
RSA Union Building, Suite 350  
Montgomery, AL 36130

Re: Docket No. 25980 Certification of Eligibility of TSINexus, Inc. to Receive Federal Universal Service Funds in Study Area 259909 for the First through Fourth Quarters of 2010.

**Dear Mr. Thomas:**

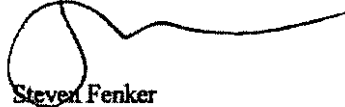
TSINexus, Inc. ("Nexus" and the "Company") hereby provides the required certification and requested information regarding the amount and allocation of support received.

## **CERTIFICATION**

On behalf of the Company, I, Steven Fenker, an officer of the Company with substantial knowledge of the Company's operations, do hereby certify under penalty of perjury that the following is true and accurate to the best of my knowledge and belief:

1. I am President of the Company;
2. The company is certified as a Competitive Eligible Telecommunications Carrier ("ETC") in the exchanges of ETC certified non-rural Incumbent LEC, Bellsouth Telecommunications, Inc., Alabama ("Bellsouth Alabama");
3. As such, the Company is eligible to receive disbursements from the federal Universal Service Fund in a manner and amount equal to the disbursements received by Bellsouth Alabama as prescribed by the Federal Communications Commission; and
4. The Company will utilize all federal High Cost Support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with 47 U.S.C. § 254(e) of the Telecommunications Act of 1996.

Respectfully,

  
Steven Fenker  
President  
TSINexus, Inc.

## **REQUESTED INFORMATION**

### **1. Amount of Support the Company Received for the Past Fiscal Year**

As a competitive ETC, the Company is eligible to receive federal high-cost universal service support ("USF") in a manner and amount equal to the support received by the Incumbent ETC, which in this case is Bellsouth Telecommunications, Inc., Alabama (Bellsouth Alabama). This support is divided into seven (7) categories or mechanisms; High Cost Model (HCM) support, High Cost Loop (HCL) support, Safety Net Additive (SNA) support, Safety Valve Support (SVS), Intrastate Access Support (IAS), Local Switching Support, (LSS), and Interstate Common Line Support (ICLS). Each of these mechanisms was created by the Federal Communications Commission ("FCC") in conjunction with the Federal-State Joint Board on Universal Service allowing representatives from the State Commissions to be involved in the development of these mechanisms through their active participation and representation in the Joint Board process.

All of these mechanisms are administered through the Universal Service Administration Company ("USAC"). USAC, as a private, not-for-profit corporation, is responsible for providing every state and territory of the United States with access to affordable telecommunications service through the federal USF program. USAC has contracted with the National Exchange Carrier Association, Inc. ("NECA") to assist in the data collection necessary for the remittance of universal service funds. This detailed data, submitted by the Incumbent LECs to NECA and the FCC, is used in the USF calculations and contains regulated financial inputs into the algorithm, and includes the number of loops that will potentially receive universal service support.

In order for ETCs to receive high cost support, a State that has jurisdiction over the carriers must certify annually that "all federal high-cost support provided to such carriers within that State will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended".<sup>2</sup> The certification must be filed with the FCC and USAC. Section 54.314(d)(1) of the FCC's Rules provides that "carriers for which certifications are filed on or before October 1 shall receive [USF] ... in the first, second, third, and fourth quarters of the succeeding year".<sup>3</sup> For fiscal 2008, the Company did not receive or apply for support from any of the high cost mechanisms for Study Area Code 259909.<sup>4</sup>

### **2. HOW THE FUNDS WERE ALLOCATED**

As previously stated, a competitive ETC is eligible to receive High Cost USF support, in the study area for which it is certified, in a manner and amount equal to the support received by the Incumbent LEC ("ILEC"). Recovery of these funds is determined through "cost studies" provided by the Incumbent LEC and is based on the financial statements of the ILEC. NECA

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<sup>2</sup>47 C.F.R. § 54.314(a).

<sup>3</sup>47 C.F.R. § 54.314(d)(1). In promulgating its certification requirements, the FCC noted that October 1<sup>st</sup> deadline was necessary to allow sufficient time for USAC to process the certifications and provide the FCC with an estimate of the level of high-cost support that will be required by USAC's November 1<sup>st</sup> deadline.

<sup>4</sup>Source: USAC High Cost Disbursement Data report.



and its auditors, who must attest to the validity and integrity of the same, review the cost studies. The information provided in response to all of the USF mechanisms utilizes FCC accounts for regulated cost and must be in compliance with FCC rules in Parts 32, 36, 54, and 64.

**a. High Cost Model Support (HCM)**

High Cost Model (HCM) support, also known as forward-looking support, is available to competitive carriers providing service in the eligible wire centers of non-rural incumbent carriers and designated as ETCs by the state commission or the FCC. Based on a forward-looking economic cost model, High Cost Model support is distributed at the wire center level and keeps the cost for telephone service comparable in all areas of the state. The model generates the statewide average cost per line, which is then compared to the national average cost per line. If the statewide average cost per line exceeds the national average cost per line, the state qualifies for HCM support. Currently, Bellsouth Alabama and NEXUS are both eligible to receive HCM support. Although eligible, Nexus is not currently applying for or receiving High Cost Model support. As required, the support, if and when received, will be used for the provision, maintenance, and upgrade of facilities and services for which the support is intended allowing consumers, residing in lower density exchanges, the ability to subscribe to services at rates comparable to the rates paid by consumers in the more densely populated exchanges.

**b. HIGH COST LOOP SUPPORT (HCL)**

High Cost Loop (HCL) support is available to competitive carriers providing service in the areas of rural price cap and rate-of-return incumbent carriers and designated as ETCs by the state commission or the FCC. HCL support provides support for the "last mile" of connection for Exchange Carriers in service areas where the cost to provide service exceeds 115% of the national average cost per line and is subject to an annual indexed cap. Bellsouth Alabama is not classified as a rural price cap carrier. As such, neither Bellsouth Alabama nor Nexus is eligible to receive HCL support.

**c. Safety Net Additive Support (SNA)**

Safety Net Additive (SNA) support is a sub-component of High Cost Loop support and is available to competitive carriers on the same basis as High Cost Loop Support. Safety Net Additive was established in the FCC's Rural Task Force Order<sup>5</sup> and is intended to provide rural incumbent carriers with additional incentives to invest in their networks. To receive support, a rural carrier must show that growth in Telecommunications Plant In Service (TPIS) per line is at least 14% greater than the study area's TPIS per line for the prior year. Bellsouth Alabama is not classified as a rural price cap carrier. As such, neither Bellsouth Alabama nor Nexus is eligible to receive SNA support.

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<sup>5</sup> FCC 01-157 released May 23, 2001

Walter L. Thomas, Secretary  
Alabama Public Service Commission  
July 24, 2009

**d. Safety Valve Support (SVS)**

Safety Valve Support (SVS) is also a sub-component of High Cost Loop support and is support "above the cap" that is available to rural Incumbent carriers that acquire high-cost exchanges and make substantial post-transaction investments to enhance these exchanges. Bellsouth Alabama is not classified as a rural price cap carrier. As such, neither Bellsouth Alabama nor Nexus is eligible to receive SVS support.

**e. Interstate Access Support (IAS)**

Interstate Access Support (IAS) is available to competitive carriers operating in the service areas of price-cap Incumbent carriers and designated as ETCs by the state commission or the FCC. Interstate Access Support helps to offset interstate access charges in order to reduce the cost of long distance charges incurred by end users and is targeted to zones with low customer density. The FCC removed implicit IAS support for Interstate access charges and established an explicit IAS component for price-cap carriers to replace the implicit support previously collected through interstate access charges. Both Bellsouth Alabama and Nexus are eligible to receive Interstate Access Support on service lines in areas where the companies are unable to recover permitted revenues from the newly revised subscriber line charges. Although eligible, Nexus is not currently applying for or receiving High Cost Model support.

**f. Local Switching Support (LSS)**

Local Switching Support (LSS) is available to competitive carriers providing service in areas of rural Incumbent carriers serving 50,000 lines or fewer and designated as ETCs by the state commission or the FCC. Local Switching Support is designed to help carriers recoup some of the high fixed switching cost of providing service to fewer customers, thereby keeping rates comparable to the rates charged in the more densely populated urban areas. Bellsouth Alabama is not classified as a rural Incumbent carrier and serves in excess of 50,000 lines throughout the state of Alabama. As such, neither Bellsouth Alabama nor Nexus is eligible to receive LSS.

**g. Interstate Common Line Support (ICLS)**

Interstate Common Line Support (ICLS) is available to competitive carriers providing service in the area of rate-of-return Incumbent carriers and designated as an ETC by the state commission or the FCC. Based on annual projected data, ICLS helps to offset interstate access charges and is designed to permit a rate-of-return carrier to recover its common line revenue while ensuring that its subscriber line charges ("SLCs") remain affordable to its end users. Bellsouth Alabama is not classified as a rate-of-return carrier. As such, neither Bellsouth Alabama nor Nexus is eligible to receive ICLS support.

Walter L. Thomas, Secretary  
Alabama Public Service Commission  
July 24, 2009

**THE COMPANY RESPECTFULLY SUBMITS THAT IT MEETS THE QUALIFICATIONS FOR  
CONTINUED CERTIFICATION FOR STUDY AREA CODE 259909**

The Company respectfully submits that, given the number and nature of the requirements for support already in place, the Commission may lawfully and appropriately rely upon this self-certification by the Company. The requirements, procedures, and processes to which the Company adheres, as set forth above, provide the necessary and sufficient basis for the Commission to provide certification to USAC and the FCC, and to thereby ensure that the Company and its customers will not be deprived of the USF funding to which the Company and its customers are lawfully entitled to possess. Essentially, under the existing rules and process discussed above, the federal support funds available to the Company and other ETCs are, in fact, an integral part of the recovery of expenditures incurred in the provision, maintenance, and upgrading of its provision of universal service. The processes described above constitute the Company's plan with respect to the receipt and utilization of federal universal support, upon which the Company may depend on to provide its customers with quality telephone service at competitive prices. Furthermore, the Company attests, per the above certification, that it will use federal universal support only for its intended purpose.

In many respects, the certification process is similar to the certification process, which the Commission uses in its initial designation of eligible telecommunications carriers, thereby fulfilling its right, as established by the Telecommunications Act of 1996, to designate a carrier as an ETC.

Accordingly the grant of this request for certification is consistent with past practice and procedure. The very same procedure and process undertaken by the Commission that is valid for designation of eligibility to receive funds is also rationally valid as the basis for the necessary certification that the Company will use those funds, once received, for the purposes for which they are intended.

The Company, as discussed above and pursuant to the above certification, represents to the Commission that it adheres to and complies with all required processes, and that any expenditures of USF funds will be consistent with the applicable rules and foster the provision of facilities and services for which the funding is intended.

**Please contact the undersigned with any questions if further information is required.**

**Respectfully Submitted,**

Steven Fenker  
President